

BOARD OF SUPERVISORS
Regular Meeting
April 18, 2016

The Appomattox County Board of Supervisors held their Regular Scheduled Meeting on Monday, April 18, 2016 at 6:30 PM in the Board of Supervisors meeting room located at 171 Price Lane, Appomattox, Virginia.

APPOMATTOX COUNTY BOARD OF SUPERVISORS

Present:

Samuel E. Carter
Sara E. Carter
William H. Hogan
Chad E. Millner
Bryan A. Moody

Courthouse District, Chairman
Piney Mountain District, Vice-Chairman
Appomattox River District
Falling River District
Stonewall District

Also Present:

Susan M. Adams, County Administrator
J. G. Overstreet, County Attorney
Jeff Taylor, Economic Development Director
Johnnie Roark, Community Development Director
John Spencer, Information Systems Manager/Purchasing Agent
Vicky Phelps, Finance

Call to Order

Invocation- Mr. Millner

Pledge of Allegiance

Setting of Agenda

Ms. Adams asked the Board to amend the agenda to add the following items:

Resolution of Appreciation

Resolution of Students

CITIZEN PUBLIC COMMENT PERIOD

Mr. John A. Redding came forward and stated his address as 311 Acorn Drive, Appomattox Virginia. Mr. Redding stated that he is representing the Appomattox Chamber of Commerce.

Mr. Redding asked the Board to please consider the Appomattox Chamber of Commerce when making decisions for the FY2017 budget. He stated that the Chamber is in dire straits financially. He stated that he assumes that the Chamber would be an interest for the County. He stated that he can discuss numbers, but does not feel this is the forum for that discussion. He stated that he just wanted to advise the Board that the situation may be critical.

Mr. Carter thanked Mr. Redding for his comments and stated that he Board would take his request under consideration when discussing the FY2017 budget.

APPEARANCES

Comprehensive Plan Update

Chairman Carter stated that Philipp Gabathuler, Senior Planner, Region 2000 Local Government Council, will report to the Board on the on-going Comprehensive Plan update. He explained that the process is entering the final stages with the Planning Commission and will be presented in full to the Board in the upcoming months.

Mr. Gabathuler came forward and expressed his gratitude for the warm welcoming that he has received within the County and announced that he would be taking the position of Town Manager as of June 1st, and he looked forward to working with the Board in any capacity.

Mr. Gabathuler reviewed the Appomattox County Comprehensive Plan Update 2015-2016. He stated that the number one thing for the Board to keep in mind is that this is a state mandated document, mainly because of the transportation chapter which is chapter 5 in the plan. He stated that this chapter with the ongoing changes in the transportation funding streams needs to have transportation projects included for the future. He stated that they have been working on this plan for about a year which started with the orientation with the joint planning commission and with Ms. Carter who serves for the Board. He stated that a survey was completed to help with the planning. He explained that they reviewed the complete Comprehensive Plan for any updates or needed changes. Mr. Gabathuler reviewed the project schedule and then stated that they are currently about a month and a half ahead of the proposed schedule and will be presenting to the Board for approval in June. He called for any questions or comments from the Board.

Hearing no comment, Chairman Carter thanked Mr. Gabathuler for his services and stated that the Board looked forward to working with him.

Special Recognition of Gene Stewart, VDEM Regional Coordinator

Chairman Carter stated that the Board requested that Mr. Gene Stewart, VDEM Regional Coordinator, be invited to the April meeting to be recognized for his concentrated efforts in assisting the Appomattox County staff and citizens during the February 24th tornado recovery efforts.

Chairman Carter stated that Staff would like to join the Board of Supervisors in extending their sincere appreciation to Mr. Stewart for his valued assistance during the recent devastating weather-related event.

Chairman Carter called forward Mr. Gene Stewart and presented him with an Appomattox County pin and then read the following resolution:

RESOLUTION OF APPRECIATION FOR APPOMATTOX COUNTY TORNADO RELIEF ASSISTANCE

WHEREAS, on February 24, 2016 at approximately 3:30 pm, an EF-3 tornado formed in Appomattox County and was on the ground for 17.1 miles, cutting a 400-yard-wide path of destruction, damaging more than 200 homes, businesses and structures; and

WHEREAS, assessment of the catastrophic damaging conditions from the EF-3 tornado prompted Appomattox County to declare a Local Emergency and the Commonwealth of Virginia to declare a State of Emergency respectively; and

WHEREAS, the local and surrounding area Volunteer Fire Departments, First Responders, Local Government Staff, Sheriff's Departments, Community-Based Groups, Rescue Squads, State Police, Private Individuals and the Virginia Department of Emergency Management staff and Incident Management Team immediately responded to assist with the mass destruction which the storm created; and

WHEREAS, the Appomattox County Board of Supervisors realizes that without this collaborative assistance, the disaster recovery efforts would have been impossible; and

WHEREAS, all of the dedicated, concerned individuals who assisted should be recognized for their gratuitous perseverance during a time of warranted need to the citizens of Appomattox County; and

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby recognizes the dedicated contributions of the local and surrounding area Volunteer Fire Departments, First Responders, Local Government Staff, Sheriff's Departments, Community-Based Groups, Rescue Squads, State Police, and the Virginia Department of Emergency Management staff and Incident Management Team. The aforementioned contributions will be long remembered.

Ms. Carter made a motion to adopt the resolution as read by Chairman Carter. Mr. Hogan seconded Ms. Carter's motion. Chairman Carter called for a vote: Chairman Carter, aye; Ms. Carter, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

Mr. Stewart stated that he played a small part in the incident compared with what everyone did. He stated that Appomattox County was a model to follow, that an amazing job was done by everyone. He stated that we were a team and a terrific team who continues to provide services to citizens. He stated that the debris management was described by the State employee as a terrific job no need for him to stay.

Ms. Carter stated that she was grateful for his calm spirit, having someone here with his demeanor was very helpful.

Mr. Hogan pointed out that the resolution states VDEM staff, and then stated that the VDEM staff was "Gene Stewart". He stated that he appreciates all the work and time that was provided to Appomattox County citizens.

Mr. Millner stated that Mr. Stewart's expertise that was provided to the County staff was very much appreciated.

Mr. Moody stated that he cannot begin to thank Mr. Stewart as there are no fancy words to use for the effort and direction that was given during the entire incident.

Mr. Moody stated that he also wanted to thank Mayor Paul Harvey for representing the Town of Appomattox and for his service to our citizens.

Chairman Carter recognized Ms. Lauren Andrews who serves as Congressman Hurt's representative and asked her to please thank Congressman Hurt from the Board, for coming to review the damaged sites and to help. He stated that it was very much appreciated.

Recognition of Regional Spelling Bee Winner

Chairman Carter stated that Chloe Epps, a 7th grader at the Appomattox Middle School, won the 2016 News & Advance Regional Spelling Bee and will now compete at the Scripps National Spelling Bee in Washington, D.C in May.

Chairman Carter stated that staff recommends adopting the attached Resolution in Honor of Chloe Epps, Regional Spelling Bee Champion and joins the Board of Supervisors in congratulating Miss Epps for her achievement.

Chairman Carter read the following resolution and presented to Chloe Epps:

RESOLUTION IN HONOR OF CHLOE EPPS REGIONAL SPELLING BEE CHAMPION

WHEREAS, Chloe Epps participated in The News & Advance Regional Spelling Bee as a 6th grader in 2015, gaining valuable experience and a determination to return in 2016; and

WHEREAS, Chloe Epps was one of seventeen students between the ages of 9 and 13 demonstrating their spelling proficiency at The News & Advance Regional Spelling Bee held at Dunbar Middle School on March 12, 2016; and

WHEREAS, Chloe Epps was one of three returning students competing in the 2016 spelling competition; and

WHEREAS, Chloe Epps won The News & Advance Regional Spelling Bee by successfully spelling the word "confetti" in her final round; and

WHEREAS, Chloe Epps, by virtue of winning The News & Advance Regional Spelling Bee, will now compete at the Scripps National Spelling Bee in Washington, D.C. in May.

BE IT RESOLVED, that with great pride, the Appomattox County Board of Supervisors honors and commends Chloe Epps, a 7th grader at Appomattox Middle School, for representing Appomattox County with skill and enthusiasm while winning The News & Advance Regional

Spelling Bee and for earning a chance to compete in the renowned Scripps National Spelling Bee next month.

Mr. Hogan made a motion to adopt the resolution as read by Chairman Carter. Mr. Millner seconded Mr. Hogan's motion. Chairman Carter called for a vote: Chairman Carter, aye; Ms. Carter, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

Recognition of Delonta Kelso, Indoor Track State Champion

Chairman Carter stated that Delonta Kelso, a junior at Appomattox County High School, won the Class 1A/2A Indoor Track 55 Meter Hurdles state competition in February 2016.

Chairman Carter stated that staff recommends adoption of the attached Resolution in Honor of Delonta Kelso, State Champion, for the Class 1A/2A Indoor Track 55 Meter Hurdles and joins the Board of Supervisors in congratulating Mr. Kelso for his achievement.

Chairman Carter read the following resolution and presented to Delonta Kelso:

**RESOLUTION IN HONOR OF DELONTA KELSO
Class 1A/2A State Champion, Indoor Track 55 Meter Hurdles**

WHEREAS, Delonta Kelso chose to participate in Indoor Track during the 2015-2016 year representing Appomattox County High School; and

WHEREAS, Delonta Kelso ran a state-qualifying time in the 55 Meter Hurdles at an invitational meet during the regular season; and

WHEREAS, Delonta Kelso, in lieu of a Conference or Regional Championship Meet, entered the State Championship Meet based on his earlier qualifying time in the 55 Meter Hurdles and won his preliminary heat; and

WHEREAS, Delonta Kelso posted a time of 7.93 seconds in winning the 55 Meter Hurdles at the State Championship Meet held at the Tolsma Center at Liberty University on February 25, 2016 to claim the Virginia 1A/2A State title in the event; and

WHEREAS, Delonta Kelso worked diligently to excel against fierce competition from across Virginia while bringing honor to the Appomattox Community.

BE IT RESOLVED, that with great pride, the Appomattox County Board of Supervisors honors and commends Delonta Kelso for representing Appomattox County with skill, talent and determination and for bringing home to Appomattox County High School the VHSL Class 1A/2A State Championship in the 55 Meter Hurdles.

Mr. Millner made a motion to adopt the resolution as read by Chairman Carter. Mr.

Moody seconded Mr. Millner's motion. Chairman Carter called for a vote: Chairman Carter, aye; Ms. Carter, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

Request to Extend Real Estate Payments-Sarah Henderson, Commissioner of Revenue

Chairman Carter stated that Ms. Henderson requested to appear before the Board to request an extension for the June 2016 Real Estate Tax Collections.

Chairman Carter called on Ms. Sara Henderson and Ms. Alice Gillette to come forward and speak with the Board as requested.

Ms. Henderson stated that Ms. Gillette and she are requesting that the Board consider moving the due date for tax collections to the end of June.

She stated that they do not feel the set date will allow enough time to get the tax tickets and elderly relief completed and filed. Ms. Henderson stated that she would also like to request that the Board consider moving this date permanently.

Ms. Gillette then explained the process that has to take place before the tax bills are sent. She reminded the Board that citizens must be given 14 days to respond and pay.

Ms. Henderson stated that she would like to also address the license tax. She stated that she was asked by the former Board to consider another methodology for personnel property, in hopes that the Board would be able to lower the tax rate which would attract businesses to the County. She stated that she was asked to consider moving from 50% retail value to 100% assessed value. She stated that in turn she asked the Board to remove the license tax due to the difficulty of administering the license tax for her office. She stated that this was the only way she would consider moving the personnel property value from 50% retail to 100% trade in value. She explained that on April 5, 2016 she provided the Board with a presentation on the calculations and what it would entail in moving to 100% trade in value and adjusting all other aspects personnel property with the elimination of the license tax, and a rate that would fall between \$3.55 - \$3.75. She stated that at that time she was still waiting on a few more calculations. She stated that on that date, she was asked to go back and figure again but including the license tax fee. She stated that she suggested at that meeting that there would not be enough time to go back and recalculate. She explained that other localities that have made this change took between eight to twelve months to complete. She then stated that on April 11, 2016 at a budget work session she reported to the Board that she had tried more calculations and found that everything would have to be adjusted. She stated that after discussion it was decided by the Board and herself that we should wait another year before implementing all the changes that have been suggested. She stated that although the decision was made to wait, she stated that she felt she needed to speak tonight to let the public know how this was decided. Ms. Henderson stated that she wanted to emphasize that she was moving on the direction of the former Board. Ms. Henderson requested that the Board after the approval of the FY2017 budget meet and decide the direction they wish for her to pursue with the personal property.

Chairman Carter stated that the previous Board members that he had spoken with other than Ms. Carter and Mr. Tanner have said that they talked about this issue, however, no direction was ever given by the Board to begin the process.

Ms. Henderson stated that she was approached by a member of the Board and told to work on this and that is what she has done, however, it just takes time to put the calculations together.

After discussion, Chairman Carter thanked Ms. Henderson and her staff for the work that had been put forth on this issue.

Ms. Carter made a motion to permanently change the June tax collection date to the end of the month as requested by the Commissioner of Revenue and the Treasurer.

Mr. Overstreet stated that to make this a permanent change, the Board would need to change the ordinance.

Ms. Carter amended her motion for this year to move the tax collection date to June 30th as requested, and for staff to begin work on making a change to the ordinance for approval by the Board at a later date. Mr. Hogan seconded Ms. Carter's motion. Chairman Carter called for a vote: Chairman Carter, aye; Ms. Carter, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

Mr. Overstreet clarified that the date would be changing this year only for the June collection date, not the December collection date.

Bobby Wingfield, Public Safety Director

Chairman Carter called on Mr. Bobby Wingfield to come forward to speak with the Board.

Mr. Wingfield came forward and expressed appreciation to the Board for the refreshments and letter of appreciation that was provided to the dispatchers this week in celebration of National 911-dispatchers week.

ADMINISTRATOR'S REPORT

Ms. Adams provided the Board with a written Administrator's Report and called for any questions or comments. (Administrative Report filed in the April 2016 Board file)

ATTORNEY'S REPORT

Mr Overstreet discussed rules regarding changing the date for personal property tax.

ACTION ITEMS

Rules of Order for the Governing Body

Chairman Carter stated that the Rules of Order for the Governing Body were tabled at the January 4, 2016 meeting. He stated that the Board members needed additional time to review "Robert's Rules of Order, Newly Revised, and 11th Edition" amended to require a second for all motions and to allow the Chairman to make and second motions.

Chairman Carter stated that staff recommends the adoption of Robert's Rules of Order, Newly Revised, 11th Edition" amended to require a second for all motions and to allow the Chairman to make and second motions.

Mr. Overstreet stated that the Board may wish to use the Robert Rules of Order for Small Boards which is included in the Roberts Rules of Order Newly Revised 11th Edition.

A motion was made to adopt the Robert's Rules of Order, Newly Revised, and 11th edition for Small Boards.

RESULT:	APPROVED BY ROLL CALL [UNANIMOUS]
MOVER:	William H. Hogan, Appomattox River District
SECONDER:	Chad E. Millner, Falling River District
AYES:	Carter, Hogan, Millner, Moody, Carter

Board By-Laws and Rules of Procedure

Chairman Carter stated that the Board did not adopt the Board By-Laws and Rules of Procedure at the Organizational meeting as they needed additional time to review and discuss. Therefore, the Board should determine if it is the favor to adopt the existing By-Laws or recommend changes.

Chairman Carter stated that staff needs direction from the Board if changes are needed to the existing By-Laws and Rules of Procedure. If not, staff recommends adoption of the By-Laws as presented.

A motion was made to adopt the Board By-Laws and Rules of Procedure with changes as requested by Mr. Hogan.

RESULT:	APPROVED BY ROLL CALL [UNANIMOUS]
MOVER:	Sara E. Carter, Piney Mountain District, Vice-Chairman
SECONDER:	William H. Hogan, Appomattox River District
AYES:	Carter, Hogan, Millner, Moody, Carter

Board Remote Participation Policy

Chairman Carter stated that attached for the Board's review is a memo from the County Attorney, John Overstreet, concerning the Board's desire to adopt a Remote Participation Policy. Mr. Overstreet is prepared to discuss the memo with the Board if questions should arise.

Chairman Carter stated that staff recommends review of the attached memo and if the Board wishes to adopt such a written policy, Mr. Overstreet's motion statement is included in the memo.

Mr. Overstreet provided an explanation of the Remote Participation Policy.

After discussion, Mr. Moody stated that he would like to see the Board move forward with this policy.

Mr. Overstreet stated that this can be done by resolution, so if there are issues it could be changed easily.

After discussion, Ms. Carter made a motion to adopt the resolution to include the Remote Participation Policy in the Board of Supervisor policies. Mr. Hogan seconded Ms. Carter's motion. Chairman Carter called for a vote: Chairman Carter, aye; Ms. Carter, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

Special Event/Entertainment Application

Chairman Carter stated that for the Board to review is a request from Ken and Bonnie Swanson to sponsor a Fundraiser on May 7th for the tornado victims of the Evergreen community. The event will be located at 7169 Old Evergreen Road and will include a day of music and food.

Chairman Carter stated that staff recommends approval of Ken and Bonnie Swanson's request for a Special Entertainment/Event Permit and to waive the required bond fee.

A motion was made to approve the Special Event Application for Ken and Bonnie Swanson to sponsor a May 7th fund raiser for the tornado victims in the Evergreen Community.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	William H. Hogan, Appomattox River District
SECONDER:	Chad E. Millner, Falling River District
AYES:	Carter, Hogan, Millner, Moody, Carter

CONSENT AGENDA

Bills

Payment of Invoices Authorization

Please review and approve the attached invoices for payment.

April 7, 2016 - \$1,236,686.42

RE: Debt Service payment, credit card & utility bills.

April 18, 2016 - \$315,124.92

RE: Monthly Invoices

Staff recommends review of the attached invoices for payment and to authorize for payment

Supplemental Appropriations

Department of Social Services

Please supplement by consent and appropriate the following:

5301-2002 VRS \$11,708.79

5301-2006 Group Life \$ 716.87

5301-2002 ICMA-RC \$ 246.20

RE: Reimbursement from Social Services

No new local funds are required.

J. Robert Jamerson Library

Please supplement by consent and appropriate the following:

7301-5411	Books	\$261.00
7301-5401	Office Supplies	\$880.05
7301-5415	Summer Reading	\$ 6.50
7301-5201	Postage	\$ 2.75

No new local funds are required.

County Administration

Please supplement by consent and appropriate \$3782.70 to 1101-5804 Operating Reserve.

RE: Refunded from the BB&T Credit Card. The County no longer uses the BB&T account and requested a refund of the credit funds that have been on the card for several years.

No new local funds are required.

Animal Control

Please supplement by consent and appropriate \$463.32 to 3501-5804, Donations Only

No new local funds are required.

Sheriff's Department

Please supplement by consent and appropriate \$217.48 to 3102-1002, Sheriff's Overtime.

RE: Security performed by the deputies during the Appomattox County High School's basketball games on February 17th and February 9th.

No new local funds are required.

Sheriff's Department

Please supplement by consent and appropriate \$5,534.61 to 3102-1002, Overtime and \$346.52 to 3102-5408, Fuel.

RE: The Sheriff is requesting that these funds be supplemented back into his operating budget which was significantly impacted by the February 24th tornado.

These funds will be supplemented from the General Fund.

ITEMS PULLED FROM CONSENT

After discussion on an invoice from Kidd's Cleaning Service, Mr. Hogan made a motion to pull the invoice from Kidd's Cleaning Service in the amount of \$4,447.00 from Bills under the Consent Agenda for clarification before making payment. Ms. Carter seconded Mr. Hogan's motion. Chairman Carter called for a Roll Call Vote: Chairman Carter, aye; Ms. Carter, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Hogan, aye.

A motion was made to approve the Consent Agenda excluding the invoice for Kidd's Cleaning Service which was removed from the Consent Agenda for further clarification.

RESULT:	APPROVED BY ROLL CALL [UNANIMOUS]
MOVER:	Chad E. Millner, Falling River District
SECONDER:	Sara E. Carter, Piney Mountain District, Vice-Chairman
AYES:	Carter, Hogan, Millner, Moody, Carter

ADJOURNMENT

Mr. Millner made a motion to adjourn the Regular Scheduled Meeting at 7:32 p.m. Mr. Hogan seconded Mr. Millner's motion. Chairman Carter called for a vote: Chairman Carter, aye; Ms. Carter, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

The Regular Scheduled Meeting adjourned at 7:32 p.m.

Samuel E. Carter, Chairman